

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

Efrain Danilo Mendez a/k/a Efrain D. Mendez-Rivera, Aldraily Alberto Coiscou, Fernando Molina a/k/a Jorge Luis Flores Larios, Siryi Nayrobik Melendez, Rene Alexander Oliva, Juan Flores Larios and Ramiro Cordova, individually and on behalf of all others similarly situated,

Plaintiffs,

*- against -*

Case No. 12-CV-05583 (SIL)

U.S. Nonwovens Corp., Samuel Mehdizadeh a/k/a Solomon Mehdizadeh, Shervin Mehdizadeh, and Rody Mehdizadeh,

Defendants.

**[PROPOSED] ORDER GRANTING ASSENTED-TO MOTION FOR  
PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT**

Based on the declaration of Steven J. Moser dated August 3, 2020 and the memorandum of law dated August 3, 2020, Plaintiffs' assented-to motion for preliminary approval of the parties' Class and Collective Action Settlement Agreement submitted to the Court on August 3, 2020 ("Settlement Agreement") is GRANTED, and the Court hereby:

1. Grants preliminary approval of the Settlement Agreement;
2. Preliminarily certifies the following settlement class under Fed. R. Civ. P. 23(a)

and (b)(3) for purposes of effectuating the parties' settlement:

all non-exempt workers employed by USN in the State of New York at any time from November 14, 2006 to the date of preliminary approval of this Agreement who were not paid a spread-of-hours premium pursuant to 12 NYCRR §142-2.4;

3. Approves the proposed Notice of Class and Collective Action Settlement, attached as Exhibit B to the Settlement Agreement, and distribution thereof to the settlement class members;
4. Appoints The Moser Law Firm, P.C. as Class Counsel; and

5. Schedules a hearing for final settlement approval on \_\_\_\_\_.

**SO ORDERED:**

U.S.M.J.

**Dated:** \_\_\_\_\_